

(4) A member who is appointed after a term has begun serves only for the rest of the term and until a successor is appointed and qualifies.

(h) The Governor may remove a member for incompetence, misconduct, neglect of duties, or other sufficient cause.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1992.

Approved May 12, 1992.

CHAPTER 219

(Senate Bill 95)

AN ACT concerning

Court Authority – Ethics Law Enforcement

FOR the purpose of altering the standard for judicial set aside of an official action by an official or employee with a conflict of interest; and generally relating to the court’s authority in enforcement of the Maryland Public Ethics Law.

BY repealing and reenacting, with amendments,
Article 40A – Maryland Public Ethics Law
Section 7-101
Annotated Code of Maryland
(1990 Replacement Volume and 1991 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article 40A – Maryland Public Ethics Law

7-101.

The Commission may file a petition for injunctive or other relief in the circuit court of the county having proper venue for the purpose of requiring compliance with its order or the relief authorized in this title.

(1) In addition, the court can issue an order to cease and desist from the violation, and can void an official action taken by an official or employee with a conflict of interest prohibited by this article when the action arose from or concerned the subject matter of the conflict and if the legal action was brought within 90 days of the occurrence of the official action, if the court deems [voiding the action to be in the best interest of the public] ~~THAT THE ACTION WAS SUBSTANTIALLY IMPACTED BY THE CONFLICT OF INTEREST.~~ The court may also impose a fine of up to \$5,000 for any violation of the provisions of this article. Each day upon which the violation occurs constitutes a separate offense.